

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TIMOTHY BARNES,

Petitioner,

v.

CASE NO. 05-CV-74319-DT
HONORABLE VICTORIA A. ROBERTS

SHERRY L. BURT,

Respondent.

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ORDER GRANTING PETITIONER'S MOTION FOR ENLARGEMENT OF TIME

Petitioner Timothy Barnes has moved for an extension of time in which to file a reply to the State's responsive pleading, which was filed on May 12, 2006. United States Magistrate Judge R. Steven Whalen ordered Petitioner to file a reply within forty-five days of the responsive pleading. [Doc. #4, Dec. 2, 2005.] Petitioner seeks an additional sixty days in which to file his reply. He claims that he has limited access to the prison law library.

The Court may enlarge a deadline when a request for enlargement of time was made before the expiration of the period originally prescribed. Fed. R. Civ. Proc. 6(b)(1). Petitioner filed his motion within the time initially granted for filing a reply, and he alleges that sometimes he is forced to wait a week or two to use the prison law library and to acquire legal materials. The Court therefore GRANTS Petitioner's motion for enlargement of time [Doc. #8, May 26, 2006.] Petitioner shall file a reply to the responsive pleading on or before August 31, 2006.

s/Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: June 8, 2006

The undersigned certifies that a copy of this document was served on the attorneys of record and plaintiff by electronic means or U.S. Mail on June 8, 2006.

s/Linda Vertriest
Deputy Clerk